

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

SCOTT and RHONDA BURNETT, )  
RYAN HENDRICKSON, JEROD BREIT, )  
SCOTT TRUPIANO, JEREMY KEEL, )  
SHELLY DREYER, HOLLEE ELLIS, and )  
FRANCES HARVEY on behalf of themselves )  
and all others similar situated, )

Plaintiffs, )

v. )

THE NATIONAL ASSOCIATION OF )  
REALTORS, REALOGY HOLDINGS CORP., )  
HOMESERVICES OF AMERICA, INC., )  
BHH AFFILIATES, LLC, HSF AFFILIATES, )  
LLC, RE/MAX LLC, and KELLER )  
WILLIAMS REALTY, INC., )

Defendants. )

Civil Action No.: 4:19-cv-322-SRB

**ORAL ARGUMENT  
REQUESTED**

**HOMESERVICES DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendants HomeServices of America, Inc., BHH Affiliates, LLC, and HSF Affiliates, LLC (collectively, the “HomeServices Defendants”) join and incorporate the arguments made in the motion and suggestions of the National Association of Realtors in its motion for summary judgment and separately move for summary judgment with respect to the element of conspiracy critical to Plaintiffs’ federal and Missouri antitrust claims (Counts I and III) and Plaintiffs’ Missouri Merchandising Practices Act claim (Count II).

The grounds that support the HSD’s motion here are set forth in the accompanying HomeServices Defendants’ Suggestions in Support their Motion for Summary Judgment.

Dated: August 29, 2022

Respectfully submitted,

/s/Jennifer M. Keas

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***Attorneys for Defendants HomeServices of  
America, Inc., BHH Affiliates, LLC, and  
HSF Affiliates, LLC***

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of August 2022, I electronically filed the foregoing **HomeServices Defendants' Motion for Summary Judgment** with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Jennifer M. Keas

An attorney for Defendants HomeServices of America,  
Inc., HSF Affiliates, LLC, and BHH Affiliates, LLC